

**BOARD OF SUPERVISORS
EAST MARLBOROUGH TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020 - 02

AN ORDINANCE AMENDING THE EAST MARLBOROUGH TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO REVISE THE AMOUNTS TO BE SET ASIDE AND TRANSFERRED TO THE TOWNSHIP FOR THE PURPOSE OF MITIGATING THE IMPACT OF DEVELOPMENT ON THE COST OF EMERGENCY SERVICES WITHIN THE TOWNSHIP AND THE ACQUISITION AND MAINTENANCE OF EMERGENCY SERVICES EQUIPMENT.

UNDER AND BY VIRTUE OF THE AUTHORITY SET FORTH IN THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, 53 P.S. §10101 et. seq., THE BOARD OF SUPERVISORS OF EAST MARLBOROUGH TOWNSHIP, CHESTER COUNTY DOES HEREBY ENACT AND ORDAIN THAT THE EAST MARLBOROUGH TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1992 IS HEREBY AMENDED AS FOLLOWS:

Section 1.

Existing Section 408.B.6.c of the East Marlborough Township Subdivision and Land Development Ordinance is hereby repealed and the following new Section 408.B.6.c is hereby enacted in its place:

Section 408.B.6.c.

The amounts to be set aside and transferred to the Township for the purpose of mitigating the impact of development on the cost of emergency services within the Township and the acquisition and maintenance of emergency services equipment are as follows:

- i. For residential subdivision or land development, the amount of \$400.00 for each approved lot or dwelling unit, as adjusted annual in accordance with subsection iii below.
- ii. For non-residential subdivision or land development, the amount of \$400.00 for each 1,000 square feet of aggregate floor area (or part thereof) of all stories of approved building construction, as adjusted annual in accordance with subsection iii below.
- iii. The amounts set forth in subsections i and ii above shall be adjusted annually as of January 1 of each year, by a percentage equal to the greater of (a) any increase in the Consumer Price Index for the immediately preceding calendar year, as determined

by the U.S. Bureau of Labor Statistics and (b) five percent (5%). Such adjustment shall compound from year to year.

- iv. Such funds shall be allocated seventy-five percent (75%) to fire and rescue services and twenty-five percent (25%) to ambulance and emergency medical services.

Section 2. Severability.

The provisions of the Ordinance are severable. If any sentence, clause, or section of the Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of East Marlborough Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

Section 3. Repealer.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

Section 4. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED this ___ day of _____, 2020 by the Board of Supervisors of East Marlborough Township, Chester County, Pennsylvania.

**EAST MARLBOROUGH TOWNSHIP
BOARD OF SUPERVISORS**

Kathryn M. Monahan

Eric W. Walsby

Attest:

Deborah A. Arnold